



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for final plat approval of Liberty Creek Estates Phase 1, located at 3800 N 2900 E, Liberty.

Type of Decision: Administrative

Agenda Date: Wednesday, August 21, 2019

Applicant: Cecil Satterthwaite

File Number: UVL072319

Property Information

Approximate Address: 3800 N 2900 E, Liberty

Project Area: 25.246 acres

Zoning: Agricultural Valley (AV-3)

Existing Land Use: Residential

Proposed Land Use: Residential

Parcel ID: 22-009-0040

Township, Range, Section: T6N, R1E, Section 19

Adjacent Land Use

North: Residential	South: Residential
East: Residential	West: Residential

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
 801-399-8768

Report Reviewer: RG

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 6 Agricultural Valley (AV-3)
- Title 106, Subdivisions, Chapter 1-8 as applicable

Background and Summary

The applicant is requesting final administrative approval of a one lot subdivision called Liberty Creek Estates Phase 1, consisting of 25 acres. The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendment as a "Small Subdivision" and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots. The proposed subdivision amendment and lot configuration is in conformance with the current zoning and the applicable subdivision requirements as required in the LUC.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by maintaining the existing density provided by the current zoning and existing approvals (2016 Ogden Valley General Plan, Land Use Principle 1.1).

Zoning: The subject property is located in the Agricultural Valley Zone more particularly described as the AV-3 zone. The purpose and intent of the AV-3 zone is identified in the LUC §104-6-1 as:

The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.

Site development standards:

The proposed subdivision complies with the lot area and width standards of the AV-3 zone. The minimum lot size is three acres and the minimum lot width is 150 feet. The proposed lot 1 is 25 acres in area and contains 567 feet of frontage along 2900 East Street.

Culinary water and sanitary sewage disposal: The new lot will receive culinary water service from Liberty Pipeline water district and the wastewater disposal will be handled by a septic system. Feasibility letters from the culinary water provider and the health department have been provided regarding water and septic.

Natural Hazards A portion of the subdivision is located within a geologic hazards study area and a geologic hazards report has been prepared by Western Geologic & Environmental, LLC. Any development of the lot will need to follow all recommendations outlined in the report. A note will be required to be added to the final plat indicating that a hazards report has been prepared for the subdivision and that the report is on file with the county to review. A natural hazards notice will also be filed on the property as required by Chapter 22, Natural Hazards Areas.

Review Agencies: The Weber County Engineering Division, the Weber County Surveyor's Office and Weber Fire District have reviewed the proposal. Prior to the subdivision being released for Mylar, all review agencies comments will need to be addressed.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Staff recommends final approval of Liberty Creek Estates Phase 1 (UVL072319). This recommendation for approval is subject to all applicable review agency requirements and is based on the following findings:

1. The proposed subdivision amendment conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed subdivision amendment complies with the Weber County Land Use Code.

Administrative Approval

Administrative final approval of Liberty Creek Estates Phase 1 (UVL072319). is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

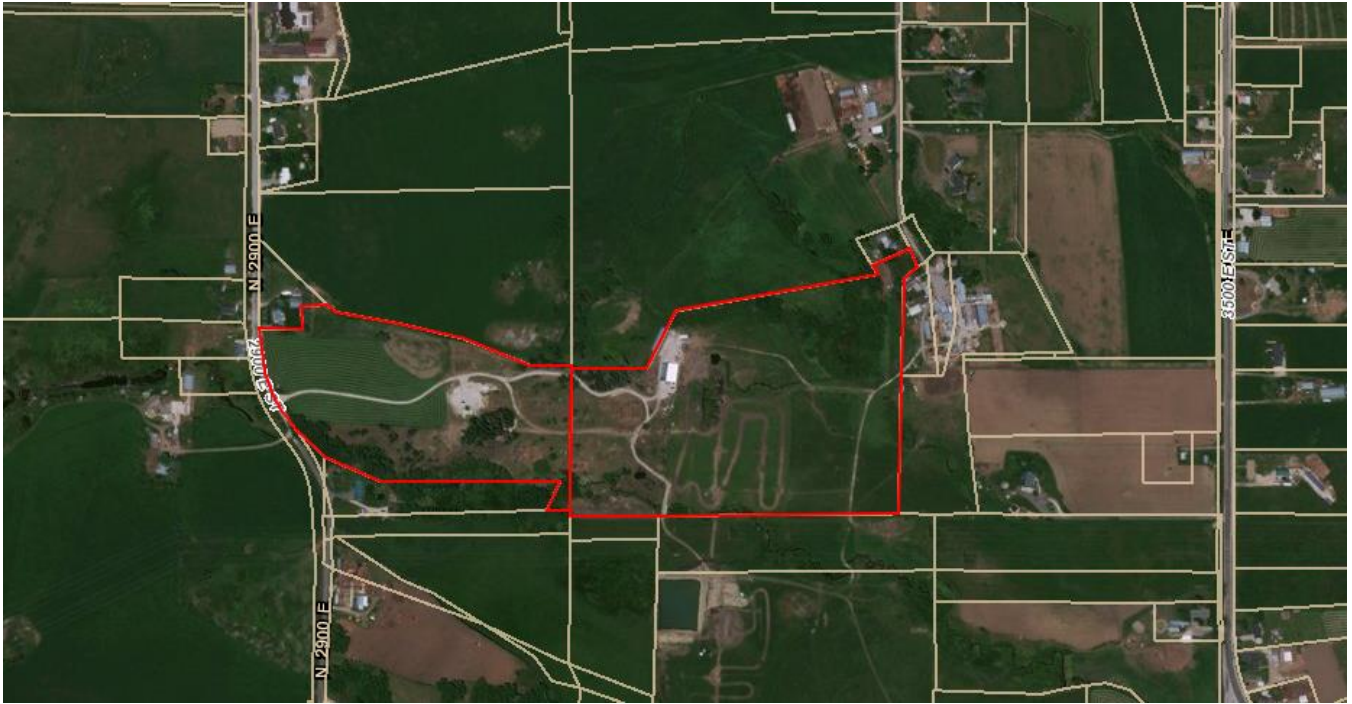
Date of Administrative Approval: _____

Rick Grover
Weber County Planning Director

Exhibits

- A. Final subdivision plat

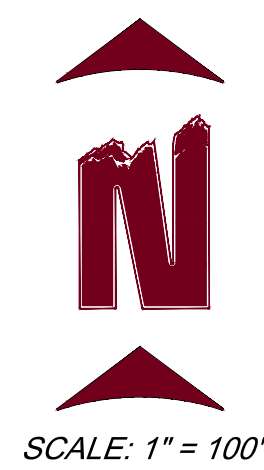
Location Map 1



LIBERTY CREEK ESTATES PHASE 1

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND THE SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY
WEBER COUNTY, UTAH
JULY 2019

Exhibit A



DEVELOPER:

BRETT SATTERTHWAITE
2594 W. 2275 N.
FARR WEST, UT 84404

CENTER OF SECTION 19
TOWNSHIP 7 NORTH,
RANGE 1 EAST, S.L.B.&M.
(CALC. POSITION)

EAST QUARTER CORNER
OF SECTION 19
TOWNSHIP 7 NORTH,
RANGE 1 EAST, S.L.B.&M.
(ALUMINUM PIPE NOT
FOUND CALC. POSITION)

CENTER OF SECTION 20,
TOWNSHIP 7 NORTH,
RANGE 1 EAST, S.L.B.&M.
FOUND BRASS CAP IN
GOOD CONDITION

COLE P SCHLACK & WIFE
STACI A SCHLACK
TAX. 22-011-0024
ENTRY NO. 2061437

MARTIN J ENGELER & WIFE BRENDA
TIMOTHY ENGELER
TAX. 22-014-0013
ENTRY NO. 2706845

DARRELL F POULSON REVOCABLE TRUST 1/2
ETAL
TAX. 22-011-0005
ENTRY NO. 2566819

DARRELL F POULSON REVOCABLE TRUST
TAX. 22-009-0011
ENTRY NO. 2568724

CHASE BARRY S &
WIFE WENDY W CHASE
TAX. 22-009-0086
ENTRY NO. 2694513
RECORD OF SURVEY
NO. 597

BOUNDARY DESCRIPTION

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, AND THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY:
BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20, SAID POINT ALSO BEING ON THE NORTH LINE OF THE UTAH POWER & LIGHT COMPANY PROPERTY AS RECORDED IN BOOK 869 AT PAGE 897 IN THE WEBER COUNTY RECORDERS OFFICE, SAID POINT BEING NORTH 00°08'00" WEST 1,333.16 FEET AND NORTH 89°42'10" WEST 2,171.13 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 20, CONTINUING THENCE NORTH 89°42'10" WEST 570.42 FEET ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20 TO SOUTHERLY EXTENSION OF AN ANCIENT FENCE, THENCE NORTH 26°17'50" EAST 148.60 FEET ALONG SAID ANCIENT FENCE, THENCE NORTH 88°00'10" WEST 756.00 FEET, THENCE NORTH 73°28'10" WEST 319.36 FEET TO THE EAST RIGHT-OF-WAY LINE OF 2900 EAST STREET, THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG SAID EAST RIGHT-OF-WAY LINE: (1) NORTH 29°08'16" WEST 328.83 FEET TO A POINT OF CURVATURE WITH A 467.00 FOOT RADIUS CURVE TO THE RIGHT, (2) 238.25 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°21'13" (CHORD BEARS NORTH 14°27'40" WEST 236.64 FEET) TO A POINT OF TANGENCY, (3) NORTH 00°12'57" EAST 8.73 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY AS RECORDED IN ENTRY NO. 2694513 IN THE WEBER COUNTY RECORDERS OFFICE AND AS SHOWN IN THAT RECORD OF SURVEY NO. 597 AS RECORDED IN THE WEBER COUNTY SURVEYORS OFFICE, THENCE THE FOLLOWING TWO COURSES AND DISTANCES ALONG SAID PROPERTY: (1) SOUTH 84°54'54" EAST 185.56 FEET, (2) NORTH 00°10'33" WEST 93.46 FEET TO A BOUNDARY LINE AGREEMENT AS RECORDED IN ENTRY NO. XXXX, THENCE THE FOLLOWING TEN (10) COURSES AND DISTANCES ALONG SAID BOUNDARY LINE AGREEMENT: (1) SOUTH 88°55'01" EAST 102.95 FEET, (2) SOUTH 76°46'57" EAST 233.76 FEET, (3) SOUTH 75°14'26" EAST 246.52 FEET, (4) SOUTH 76°58'05" EAST 131.53 FEET, (5) SOUTH 74°56'37" EAST 205.64 FEET, (6) SOUTH 79°21'52" EAST 187.65 FEET, (7) SOUTH 83°44'42" EAST 210.21 FEET, (8) NORTH 26°37'12" EAST 270.04 FEET, (9) NORTH 31°12'49" EAST 40.28 FEET, (10) NORTH 80°15'00" EAST 309.39 FEET TO THE NORTHWEST CORNER OF THAT PARCEL AS RECORDED IN ENTRY NO. XXXX IN THE WEBER COUNTY RECORDERS OFFICE, THENCE SOUTH 10°44'25" WEST 880.42 FEET ALONG THE WEST LINE OF SAID PARCEL TO THE POINT OF BEGINNING.
CONTAINS 1,099,723 SQUARE FEET OR 25.246 ACRES MORE OR LESS.

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN ON THE PLAN AND NAME SAID TRACT LIBERTY CREEK SUBDIVISION, AND DO HEREBY GRANT AND CONVEY TO NORTH OGDEN CITY, UTAH, ALL PORTIONS OF PARCEL "B" FOR STORM WATER PURPOSES, AND THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED FOR PUBLIC UTILITY AND DRAINAGE PURPOSES, AND ALSO DESIGNATE GRAN AND CONVEY A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS EASEMENTS, THE SAME TO BE USED FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN ON THE PLAN, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE, AS MAY BE AUTHORIZED BY WEBER COUNTY.

SIGNED THIS _____ DAY OF _____, 20____.

BRETT SATTERTHWAITE, MANAGING MEMBER OF
LIBERTY CREEK INVESTMENTS, LLC

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } SS
COUNTY OF WEBER }
ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, OF WEBER, AND AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME, BRETT SATTERTHWAITE IS MANAGING MEMBER OF LIBERTY CREEK INVESTMENTS, LLC, A UTAH LIMITED LIABILITY COMPANY WHO INADVERTENTLY ACQUIRED TITLE AS LIBERTY CREEK INVESTMENTS, LLC, A UTAH LIMITED LIABILITY AND THAT HE SIGNED THE OWNERS DEDICATION FREELY, VOLUNTARILY AND IN BEHALF OF SAID OWNERSHIP FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____, 20____.

NOTARY PUBLIC

NARRATIVE

THIS SURVEY AND SUBDIVISION PLAT WERE REQUESTED BY MR. BRETT SATTERTHWAITE FOR THE PURPOSE OF CREATING TWO BUILDING LOTS, THE BASIS OF BEARINGS IS STATE PLANE GRID PER WEBER COUNTY NORTH 00°09'09" WEST 2646.14 FEET BETWEEN THE BRASS CAPS FOUND MARKING THE SOUTH QUARTER CORNER OF SECTION 20 AND THE CENTER OF SECTION 20, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. LOT CORNERS HAVE BEEN MONUMENTED AS DEPICTED ON THIS PLAT.

NOTE: AGRICULTURE ZONE

1. AGRICULTURE IS THE PREFERRED USE IN THE AGRICULTURAL ZONES. AGRICULTURAL OPERATIONS AS SPECIFIED IN THE ZONING ORDINANCE FOR A PARTICULAR ZONE ARE PERMITTED AT ANY TIME INCLUDING THE OPERATION OF MACHINES AND NO ALLOWED AGRICULTURAL USE SHALL BE SUBJECT TO RESTRICTION ON THE BASIS THAT IT INTERFERES WITH ACTIVITIES OF FUTURE RESIDENTS OF THIS SUBDIVISION.

STREET

EAST

THOMAS B SHUPE, ETAL
TAX. 22-009-0022
BK.1598 PG.2532
ENTRY NO. 1138695

TAYLOR FOSS &
WIFE MARY FOSS
TAX. 22-009-0016
ENTRY NO. 2644542

THOMAS B SHUPE, ETAL
TAX. 22-009-0017
BK.1598 PG.2532
ENTRY NO. 1138695

THOMAS B SHUPE, ETAL
TAX. 22-014-0012
BK.1598 PG.2532
ENTRY NO. 1138695

UTAH POWER & LIGHT COMPANY
TAX. 22-014-0007
BK.869 PG.597

LIBERTY CREEK INVESTMENTS LLC
22-014-0014
ENTRY NO. 2944289

LOT 1
1,099,723 S.F.
25.246 ACRES

LIBERTY CREEK INVESTMENTS LLC
22-009-0040
ENTRY NO.2944289

LEGEND

- SUBDIVISION BOUNDARY
- - - EXISTING PROPERTY LINE
- - - 10' WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE SPECIFIED
- - - PUBLIC RIGHT-OF-WAY LINE
- - - CENTER LINE
- - - FOUND SECTION CORNER
- ⊕ FOUND RAILROAD SPIKE
- FOUND STAKE
- ▲ FOUND NAIL
- NAIL TO BE SET
- FOUND REBAR
- #5 x 24" REBAR & CAP TO BE SET (6541909)
- EXPLORATION PIT

PREPARED BY:
WASATCH CIVIL
Consulting Engineering
1150 SOUTH DEPOT DRIVE, SUITE 225
OGDEN, UTAH 84404 (801) 775-9191

RODNEY J CLARK & KIRSTINE CLARK TRUSTEES
TAX. 22-009-0019
BK.2109 PG.1561
ENTRY NO. 1743559

THOMAS B SHUPE, ETAL
TAX. 22-009-0043
BK.1598 PG.2532
ENTRY NO. 1138695

SOUTHEAST CORNER OF SECTION 19 TOWNSHIP 7 NORTH, RANGE 1 EAST, S.L.B.&M. (NOT FOUND CALC. POSITION)

<p>WEBER COUNTY PLANNING COMMISSION APPROVAL</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION. SIGNED THIS _____ DAY OF _____, 20____.</p> <p>CHAIRMAN, WEBER COUNTY PLANNING COMMISSION</p>	<p>WEBER COUNTY ENGINEER</p> <p>I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS. SIGNED THIS _____ DAY OF _____, 20____.</p> <p>WEBER COUNTY ENGINEER</p>	<p>WEBER COUNTY ATTORNEY</p> <p>I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT. SIGNED THIS _____ DAY OF _____, 20____.</p> <p>WEBER COUNTY ATTORNEY</p>	<p>WEBER-MORGAN HEALTH DEPARTMENT</p> <p>I HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITIONS FOR THIS SUBDIVISION PLAT HAVE BEEN INVESTIGATED BY THIS OFFICE AND ARE APPROVED FOR ON-SITE WASTEWATER DISPOSAL SYSTEMS. SIGNED THIS _____ DAY OF _____, 20____.</p> <p>WEBER-MORGAN HEALTH DEPARTMENT</p>	<p>WEBER COUNTY COMMISSION ACCEPTANCE</p> <p>THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH THIS _____ DAY OF _____, 20____.</p> <p>ATTEST: TITLE: _____</p>	<p>WEBER COUNTY SURVEYOR ACCEPTANCE</p> <p>I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS _____ DAY OF _____, 20____.</p> <p>SIGNATURE _____</p>	<p>COUNTY RECORDER</p> <p>ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____ RECORDED FOR _____ COUNTY RECORDER _____ BY: _____ DEPUTY</p>
---	---	--	---	--	--	---